

02/21/02

J1000 U.S. PTO



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Please type a plus sign (+) inside this box ☐PTO/SB/05 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

Beiers 584.2-HCL

First Inventor

Heinrich GERS-BARLAG

Title

[See A;ppendix]

Express Mail Label No.

EV 015943981 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 202311. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.3. ☒ Specification [Total Pages **26**]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets ☐5. Oath or Declaration [Total Pages **2**]

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.767. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☒ Other: Appendix

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **09/367,365**Prior application information: Examiner **Michael G. Hartley**Group / Art Unit **1619**For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Labelor ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Howard C. Lee				
	Norris McLaughlin & Marcus				
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	30th Floor				
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Name (Print/Type) **Howard C. Lee**

Registration No. (Attorney/Agent)

48,104

Signature

Howard C. Lee

Date

February 21, 2002

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$1,480.00

Complete if Known

Application Number	To be assigned
Filing Date	To be assigned
First Named Inventor	Heinrich GERS-BARLAG
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	Beiers 584.2-HCL

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number **14-1263**
- Deposit Account Name
- ☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR § 1.27
2. ☐ Payment Enclosed:
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370			Utility filing fee	740.00
106	330	206	165			Design filing fee	
107	510	207	255			Plant filing fee	
108	740	208	370			Reissue filing fee	
114	160	214	80			Provisional filing fee	
SUBTOTAL (1)							740.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
12	-20** = 0	X 18.00 = 0.00	
Independent Claims	1 - 3** = 0	X 84.00 = 0.00	
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non - English specification	
147	2,520	147	2,520			For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	400	216	200			Extension for reply within second month	
117	920	217	460			Extension for reply within third month	
118	1,440	218	720			Extension for reply within fourth month	
128	1,960	228	980			Extension for reply within fifth month	
119	320	219	160			Notice of Appeal	
120	320	220	160			Filing a brief in support of an appeal	
121	280	221	140			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,280	241	640			Petition to revive - unintentional	
142	1,280	242	640			Utility issue fee (or reissue)	
143	460	243	230			Design issue fee	
144	620	244	310			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR § 1.17(q)	
126	180	126	180			Submission of Information Disclosure Statement	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	740	246	370			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370			For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	
Other fee (specify)							

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$740.00

SUBMITTED BY

Name (Print/Type)	Howard C. Lee	Registration No. (Attorney/Agent)	48,104	Telephone	(212) 808-0700
Signature	Howard C. Lee	Date	February 21, 2002		

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APPLICANT: Heinrich GERS-BARLAG

TITLE: EMULSIFIER-FREE FINELY DISPERSE SYSTEMS
OF THE OIL-IN-WATER AND WATER-IN-OIL TYPE

EXPRESS MAIL CERTIFICATE

Express Mail mailing label number EV 015943981 US

Date of Deposit February 21, 2002


I hereby certify that the following items:

1. Utility Patent Application Transmittal (in duplicate)
2. Fee Transmittal (in duplicate)
3. Preliminary Amendment (five (5) pages)
4. Copy of executed Combined Declaration/Power of Attorney
5. Specification (twenty-six (26) pages), including:
 - Description (pp. 1-23);
 - Claims (pp. 24-25); and
 - Abstract
6. Information Disclosure Statement
7. Appendix citing Title, List of Inventors, Claim to Priority, Assignment information and certificate of mailing

are being deposited with the United States Postal Services AExpress Mail Post Office to Addressee@ service under 37 CFR 1.10 on the date indicated above and is addressed to the: Hon. Commissioner for Patents, Washington, D.C. 20231, Box Patent Application.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By



Vilma I. Fernandez

1008179-02102